

G nentech, Inc.

1 DNA WAY
 South San Francisco, CA 94080
 (650) 225-1000
 Facsimile: (650) 952-9881

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DATE: September 16, 2003

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NAME: Commissioner for Patents
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Fax No.: (703) 872-9307

FROM: Craig G. Svoboda
 Registration No.: 39,044

RE: U.S. Serial No.: 09/716,028
 Our Docket No.: P1123R1D1

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR 5.1-8	
I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.	
Type or print name of person signing certification Signature: <i>Christine Ricks</i> Date: 9/16/03 Christine Ricks	

Number of Pages including this cover sheet - 13

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Enclosed for consideration and entry on the record in connection with the above application are: this cover page, a "send successful" fax report, a cover page dated August 7, 2003, a Communication Letter, a Petition and Fee for Four Month Extension of Time (in duplicate), and a Terminal Disclaimer (in duplicate).

Confirmation Report-Memory Send

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 Tel line 1 : +6509529882
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 Date : Aug-07 02:59pm
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NAME: Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Fax No.: 703-305-3014

FROM: Craig G. Svoboda
 Registration No.: 38,044RE: U.S. Serial No.: 09/716,028
 Our Docket No.: P1129R1D1

Number of Pages including this cover sheet - 10

STLW/
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 Appeal Brief - FINAL TERM

12 SEP 03
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Ann Svoboda	Type or print name of person signing certification
Signature: <i>Craig G. Svoboda</i> Date: 8/7/03	

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Enclosed for consideration and entry on the record in connection with the above application are: this cover page, a Communications Letter, a Terminal Disclaimer (in duplicate) and a Petition and fee for Four Month Extension of Time (in duplicate).

G nentech, Inc.

1 DNA WAY
South San Francisco, CA 94080
(650) 225-1000
Facsimile: (650) 952-9881

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DATE: August 7, 2003

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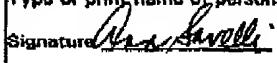
NAME: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: 703-305-3014

FROM: Craig G. Svoboda
Registration No.: 39,044

RE: U.S. Serial No.: 09/716,028
Our Docket No.: P1123R1D1

Number of Pages including this cover sheet - 10

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Ann Savelli Type or print name of person signing certification	
Signature: 	Date: <u>8/7/03</u>

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If you do not receive all pages, please notify Ann Savelli at (650) 225-7039.

Enclosed for consideration and entry on the record in connection with the above application are: this cover page, a Communication Letter, a Terminal Disclaimer (in duplicate) and a Petition and fee for Four Month Extension of Time (in duplicate).

Patent Docket P1123R1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Henry B. Lowman et al. Serial No.: 09/716,028 Filed: November 17, 2000 For: Therapeutic Compositions Comprising Anti-IgE Antibodies and Immunosuppressive Agent	Group Art Unit: 1644 Examiner: G. Ewoldt Confirmation No: 7056 CUSTOMER NO: 09157 CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being sent via facsimile to Commissioner of Patents and Trademarks, Washington, DC 20231, at facsimile number 703-305-3014 on August 7, 2003 By: <u>Ann Savelli</u> Ann Savelli
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COMMUNICATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further responsive to the Final Action mailed November 12, 2002 and the Notice of Appeal filed February 12, 2003, in light of a telephone interview on August 5, 2003 between the undersigned and Examiner Ewoldt in which the allowability of the claims were discussed, Applicants hereby file a Terminal disclaimer over U.S.P. 5,994,511 and a petition for a four month extension of time.

Respectfully submitted,

GENENTECH, INC.

By: Craig G. Svoboda
Craig G. Svoboda
Reg. No. 39,044
Telephone No. (650) 1489

Date: August 7th, 2003

139341

Patent Docket P1123R1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Henry B. Lowman et al. Serial No.: 09/716,028 Filed: November 17, 2000 For: Therapeutic Compositions Comprising Anti-IgE Antibodies and Immunosuppressive Agent	Group Art Unit: 1644 Examiner: G. Ewoldt Confirmation No: 7056 CUSTOMER NO: 09157 CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being sent via facsimile to Commissioner of Patents and Trademarks, Washington, DC 20231, at facsimile number 703-305-3014 on August 7, 2003 By: <i>Ann Savelli</i> Ann Savelli
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PETITION AND FEE FOR FOUR MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Final Office Action dated November 12, 2002. A Notice of Appeal was mailed on February 12, 2003 extending the time to respond until April 12, 2003. Applicants petition the Commissioner of Patents and Trademarks to extend the time for response for four months, from April 12, 2003 to August 12, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$1,450 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: August 7, 2003

By: *Craig G. Svoboda*
Craig G. Svoboda
Reg. No. 39,044
Telephone No. (650) 1489